

# Notice of Allowability

Application No.

10/601,997

Examiner

Talivaldis Ivars Smits

Applicant(s)

ITO ET AL.

Art Unit

2626

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Amendment After Final, filed 10/23/2007.
2. ☒ The allowed claim(s) is/are 1-4, 7-9 and 11-13.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☒ All b) ☐ Some\* c) ☐ None of the:
    1. ☒ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
  - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
    - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
  - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

## Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08), Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date \_\_\_\_\_
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_.

## **DETAILED ACTION**

### ***Response to Amendment***

1. In response to the Final Rejection, mailed 8/2/2007, applicant has submitted an Amendment After Final, filed 10/23/2007, cancelling claims 5-6, 10, and 14, and arguing to traverse the rejection of claims 1-4.

### ***Response to Arguments***

2. Applicant's arguments, see Amendment After Final, filed 10/23/2007, with respect to the rejection of claims 1-4 have been fully considered and are persuasive. The finality of the Final Rejection has been withdrawn. The remaining claims 7-9 and 11-13 having already been allowed, this has placed the application in condition for allowance, with an Examiner's Amendment to the Title, next, for reasons already given in the previous Office Action, repeated below.

### ***Examiner's Amendment***

3. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

In the **Title**:

Replace the current Title of the application with the following:

**--Adjusting sound characteristic of a communication network using test signal prior to providing communication to speech recognition server--.**

***Allowable Subject Matter***

4. Claims 1-4, 7-9, and 11-13 are allowed over the prior art of record. The following is an examiner's statement of reasons for allowance:

Independent claims 1-4, 7-9 and 11 are allowed because they recite a speech (voice) recognition server receiving a voice signal from a communication terminal and transmitting back thereto adjustment data representing a sound characteristic of the communication network therebetween, said adjustment data being based explicitly or implicitly (as per explication of claim 1 in the Remarks) on analysis of a loop-back signal sent from the server to the terminal and then back to the server, which adjustment data are used at the terminal to adjust a sound characteristic of the communication network.

The closest prior art of record, Sato, does not teach adjusting a sound characteristic of a communication network at a communication terminal based on adjustment data sent from a speech recognition server based on the analysis of a loop-back signal sent from the server to the terminal, said signal in turn based on the recognition of a voice signal sent from the terminal. Sato teaches only sending back adjustment data from a server based on the original signal received from the communication terminal.

Claims 9 and 12-13 are allowed because they further limit their respective independent claims.

5. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

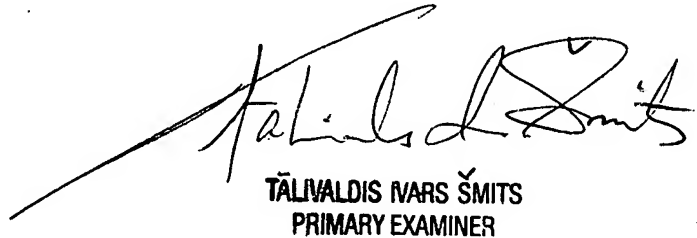
#### ***Conclusion***

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Talivaldis Ivars Smits whose telephone number is 571-272-7628. The examiner can normally be reached on 8:30 a.m. to 5:00 p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richemond Dorvil can be reached on 571-272-7602. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

7. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

12/14/2007



TĀLIVALDIS NARS ŠMITS  
PRIMARY EXAMINER